

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROQUE "ROCKY" DE LA FUENTE, )  
Plaintiff, )  
v. )  
KIM WYMAN, in her official capacity as the )  
Secretary of State of the State of Washington, )  
Defendants. )  
)  
)  
)  
)  
)  
)  
Case No. 3:16-cv-05801  
**PLAINTIFF'S NOTICE OF  
CONSTITUTIONAL CHALLENGE  
PURSUANT TO RULE 5.1 OF THE  
FEDERAL RULES OF CIVIL  
PROCEDURE**

Pursuant to Fed.R.Civ.P. Rule 5.1, plaintiff hereby gives notice to Attorney General Bob Ferguson that plaintiff is challenging the constitutionality of RCW 29A.56.660 of the Revised Code of Washington under the First and Fourteenth Amendments to the United States Constitution.

Plaintiff requests in the Complaint (Document #1 on the Court's Docket): (1) Preliminarily enjoin defendants from enforcing RCW 29A.56.620 of the Revised Code of Washington; (2) Permanently enjoin defendants from enforcing RCW 29A.56.620 of the Revised Code of Washington; (3) Declare RCW 29A.56.620 of the Revised Code of Washington unconstitutional as applied to independent candidates for President of the United States; (4) Award plaintiff the cost of this action together with their reasonable attorneys' fees

**PLAINTIFF'S NOTICE OF CONSTITUTIONAL  
CHALLENGE PURSUANT TO RULE 5.1 OF THE  
FEDERAL RULES OF CIVIL PROCEDURE- 1**

**BADGLEY MULLINS TURNER PLLC**  
19929 Ballinger Way NE, Suite 200  
Seattle, WA 98155  
TEL 206.621.6566  
FAX 206.621.9686

1 and expenses pursuant to 42 U.S.C. §1988; and,(5) Retain jurisdiction of this action and grant  
2 plaintiff such other relief which may in the determination of this Honorable Court to be  
3 necessary and proper.

4 DATED this 19<sup>th</sup> day of September, 2016.

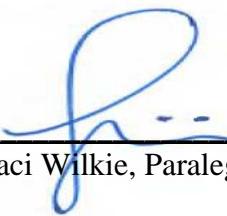
5 BADGLEY MULLINS TURNER PLLC  
6

7 /s/Donald H. Mullins  
8 Donald H. Mullins, WSBA #4966  
9 Wesley G. Foreman, WSBA #44269  
10 19929 Ballinger Way NE, Suite 200  
11 Seattle, WA 98155  
12 Telephone: (206) 621-6566  
Facsimile: (206) 621-9686  
Email: [dmullins@badgleymullins.com](mailto:dmullins@badgleymullins.com)  
Email: [wforeman@badgleymullins.com](mailto:wforeman@badgleymullins.com)  
**Attorneys for Plaintiff**

13  
14  
15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on September 19, 2016, I served a copy of the foregoing on the  
17 following parties via legal messenger:

18 Secretary Kim Wyman  
19 Washington Secretary of State  
Elections Division  
20 520 Union Avenue SE, Suite 250  
Olympia, WA 98504

21  
22  
23   
24 Staci Wilkie, Paralegal  
25  
26